

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1995, each agency shall begin the rulemaking process by 1st filing a Notice of Proposed Rulemaking, containing the preamble and the full text of the rules, with the Secretary of State's Office. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the Arizona Administrative Register.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the Register before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS

PREAMBLE

1. **Sections Affected** **Rulemaking Action**
R4-7-305 Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):** **authorizing statute:**
Authorizing statute: A.R.S. § 32-904(B)(2)
Implementing statute: A.R.S. § 32-924
3. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Patrice A. Pritzl, Executive Director
Location: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, Arizona 85015-3210
Telephone: (602) 255-1444
Fax: (602) 255-4289
4. **An explanation of the rules, including the agency's reasons for initiating the rules:**
The rule establishes an aggrieved party's right to request a rehearing following an administrative hearing and the conditions and procedures for doing such.
5. **A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
6. **The summary of the economic, small business, and consumer impact:**
This amendment will not have an economic, small business, or consumer impact.
7. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**
Name: Patrice A. Pritzl, Executive Director
Location: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, Arizona 85015-3210
Telephone: (602) 255-1444
Fax: (602) 255-4289

Notices of Proposed Rulemaking

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

Date: December 5, 1996
Time: 8:30 a.m.
Location: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, Arizona
Nature: Public comment

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
None.

10. Incorporations by reference and their location in the rules:
None.

11. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS

ARTICLE 3. HEARINGS

Section
R4-7-305. Rehearing, Review of Decision

in such case may file with the Board, not later than 15 days after the service of the decision, a written motion for rehearing or review of the decision specifying the particular grounds therefore.

ARTICLE 3. HEARINGS

R4-7-305. Rehearing, Review of Decision

- A. Except as provided in subsection (G), any party in a contested case before the Board who is aggrieved by a decision rendered

- B. No change.
C. No change.
D. No change.
E. No change.
F. No change.
G. No change.

NOTICE OF PROPOSED RULEMAKING

TITLE 6. ECONOMIC SECURITY

CHAPTER 5. DEPARTMENT OF ECONOMIC SECURITY

SOCIAL SERVICES

PREAMBLE

1. Sections Affected

Article 25
R6-5-2501
R6-5-2502
R6-5-2503
Article 26
R6-5-2601
R6-5-2602
R6-5-2603
R6-5-2604
R6-5-2605
R6-5-2606
R6-5-2607
Article 27
R6-5-2701
R6-5-2702
R6-5-2703
R6-5-2704
R6-5-2705
R6-5-2706
R6-5-2707

Rulemaking Action

Repeal
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Article 61	Repeal
R6-5-6101	Repeal
R6-5-6102	Repeal
R6-5-6103	Repeal
R6-5-6104	Repeal
Article 68	Repeal
R6-5-6801	Repeal
R6-5-6802	Repeal
R6-5-6803	Repeal
R6-5-6804	Repeal
R6-5-6805	Repeal
R6-5-6806	Repeal
R6-5-6807	Repeal
R6-5-6808	Repeal

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific): authorizing statute:

Authorizing statutes: A.R.S. §§ 41-1954(A)(3) and 46-134(12)

Implementing statutes: A.R.S. §§ 41-1954(A)(3) and 46-134(12)

3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Vista Thompson Brown
Location: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

4. An explanation of the rules, including the agency's reasons for initiating the rules:

In keeping with the proposed plan of action set forth in the report of the Department's Five-year Review of the rules in 6 A.A.C. 5, the Department plans to repeal the rules covered in this Notice. Many of the rules are very old and were written before the development of the many specialized programs the Department now offers. They are also written in a style and format that is no longer appropriate for rulemaking. In addition, they are not necessary for the following reasons:

Article 25. The rules in this Article govern internal procedural matters which are not appropriate subjects for rules. To the extent that these rules govern matters which directly or substantially affect the public, these matters are covered in more specific rules dealing with particular programs.

Article 26. These rules are no longer necessary because the Department has a comprehensive civil rights rule in 6 A.A.C. 1 which contains matters of general applicability to all Department programs and administrations. This Article simply repeats matters that are adequately covered in the Chapter 1 civil rights rule.

Article 27. These rules are no longer necessary because the programs which are the subject of this Chapter do not provide any benefits which are subject to monetary recoupment or underpayment. Other programs with monetary benefits have specific rules governing overpayments and underpayments. Moreover, much of the information which is the subject of these rules is covered in statute or in general department rules concerning set-offs.

Article 61. These general rules are no longer necessary because they have been replaced by rules in other Articles governing specific programs through which the Department provides various services.

Article 68. These rules are no longer necessary because they are duplicative of state statutes passed during the past several years. Any matters not currently addressed in statute are more appropriately placed in internal policy rather than in rule.

5. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

6. The summary of the economic, small business, and consumer impact:

The repeal of these rules will have no measurable economic impact on any group. The repeal has intangible benefits by eliminating the confusion that results from having outdated, unenforced rules as a part of the *Arizona Administrative Code*.

7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Vista Thompson Brown
 Location: Department of Economic Security
 1789 West Jefferson, Site Code 837A
 Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A
 Phoenix, Arizona 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

The Department has not scheduled oral proceedings on this rule repeal action. The Department will schedule oral proceedings if 5 or more people request them by sending a written request to the person listed above before 5 p.m. on December 6, 1996, the date scheduled for the close of record. The Department will accept written comments from the present date until the close of record date. Written comments should be mailed to the person identified above so that the Department receives them before the close of record date.

To request accommodation to participate in the public comment process, or to obtain this notice in large print, Braille, or on audio tape, contact Vista Thompson Brown at (602) 542-6555, P.O. Box 6123, Site 837A, Phoenix, Arizona 85005. TDD 1-800-367-8939.

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
 Not applicable.

10. Incorporations by reference and their location in the rules:
 Not applicable.

11. The full text of the rules follows:

TITLE 6. ECONOMIC SECURITY

**CHAPTER 5. DEPARTMENT OF ECONOMIC SECURITY
 SOCIAL SERVICES**

ARTICLE 25. CASE RECORD

R6-5-2501. Definitions
 R6-5-2502. Responsibilities
 R6-5-2503. Confidentiality

ARTICLE 26. CIVIL RIGHTS

R6-5-2601. Objective
 R6-5-2602. Authority
 R6-5-2603. Definitions
 R6-5-2604. Records and Reports
 R6-5-2605. Training
 R6-5-2606. Complaints
 R6-5-2607. Compliance

ARTICLE 27. OVERPAYMENTS AND UNDERPAYMENTS

R6-5-2701. Objective
 R6-5-2702. Authority
 R6-5-2703. Definitions
 R6-5-2704. Reporting changes affecting money payments
 R6-5-2705. Notification of overpayments and underpayments
 R6-5-2706. Responsibility to report
 R6-5-2707. Case management

ARTICLE 61. RESOURCE SERVICES

R6-5-6101. Definitions
 R6-5-6102. Service description
 R6-5-6103. Eligibility
 R6-5-6104. Discontinuation of service

ARTICLE 68. RELINQUISHMENT AND SEVERANCE SERVICES

R6-5-6801. Goals
 R6-5-6802. Objective
 R6-5-6803. Authority
 R6-5-6804. Definitions
 R6-5-6805. Description of services
 R6-5-6806. Financial eligibility
 R6-5-6807. Determining the need
 R6-5-6808. Case management

ARTICLE 25. CASE RECORD

R6-5-2501. Definitions
 A. "Client". A recipient of social services.
 B. "Contractor". Any private agency, institution, public agency, or vendor which executed an agreement with the Department to furnish services for monetary reimbursement.
 C. "Department". The Department of Economic Security.

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- D. "Primary client". An individual with or for whom, a specific goal has been established, constraints identified, and who received social services for the purpose of achieving that goal.
- E. "Progress evaluation". A formal review of a primary client's service plan to determine if progress was made toward the attainment of an earlier stated objective and the related federal goal (refer to DES 5-2505(A)).

R6-5-2502. Responsibilities

- A. A case record shall be maintained for every applicant or recipient of social services.
- B. The case record shall contain documentation of financial and non-financial criteria which establish initial and continuing eligibility for social services and other material as specified in DES 5-25.
- C. The complete case record shall be made available to the Department of Economic Security for Quality Assurance, Federal auditing, and other state monitoring purposes.
- D. Closed case records shall be kept for the time specifically required in the official instructions of the Department of Economic Security.
- E. A progress evaluation shall be completed at least every 6 months for every primary client's plan.

R6-5-2503. Confidentiality

In accordance with state and federal regulations, the contents contained in case records are confidential (refer to R6-5-23 and DES 5-23, "Safeguarding of Records and Information").

ARTICLE 26. CIVIL RIGHTS

R6-5-2601. Objective

The Department shall assure the protection of civil rights of individuals or families so that no individual or family will be denied the right to apply for or receive, social services on the basis of race, color, religion, national origin, or sex.

R6-5-2602. Authority

Federal Civil Rights Act of 1964 and A.R.S. §§ 41-1954(1)(b) and 41-1954(3).

R6-5-2603. Definitions

- A. "Application". A written request for social services.
- B. "Complaint". The verbal or written statement which alleges discrimination against any individual or family.
- C. "Compliance". The administration of all Social Service programs in accordance with the federal Civil Rights Act of 1974 and Title 41 A.R.S.
- D. "Contract provider". Any private agency, institution, public agency, or vendor which has executed an agreement with the Department to furnish services for monetary reimbursement.
- E. "Department". The Department of Economic Services.

R6-5-2604. Records and reports

The Department shall maintain records and submit reports as required by federal authorities to assure compliance with federal law.

R6-5-2605. Training

The Department shall inform and instruct the following as to their duties and responsibilities regarding civil rights:

1. Department social services staff,
2. Contract providers,
3. Individuals and agencies licensed or certified by the Department to provide services.

R6-5-2606. Complaints

The Department shall establish procedures for the investigation and resolution of complaints regarding civil rights or discrimination.

R6-5-2607. Compliance

- A. The Department shall:
1. Establish procedures for insuring compliance;
 2. May revoke a license or certification for noncompliance;
 3. May revoke a contract for noncompliance;
- B. The Department shall take corrective action on verified complaints within 60 days.

ARTICLE 27. OVERPAYMENTS AND UNDERPAYMENTS

R6-5-2701. Objective

The Department shall provide for the equitable resolution of overpayments or underpayments made to clients or contract providers.

R6-5-2702. Authority

A.R.S. §§ 41-1954(1)(b), 41-1954.3, 46-140, and 46-215.

R6-5-2703. Definitions

- A. "Client". Any person receiving social services.
- B. "Contract provider". Any private agency, institution, "public agency" (as defined in A.R.S. § 11-951) or vendor which has executed an agreement with the Department to furnish services for monetary reimbursement.
- C. "Department". The Department of Economic Security.
- D. "Overpayment". Money paid to a client or a contract provider on behalf of the client for which the client was ineligible.
- E. "Prime sponsor contract provider". Any private agency, institution, "public agency" (as defined in A.R.S. § 11-951) or vendor which has executed an agreement with the Department to furnish services and act as an extension of D.E.S. in the administration of those services contracted. The administration responsibilities are similar to those of D.E.S. and include but are not limited to: the application process, determination of eligibility, maintenance of case records, and input to the Social Services Information System.
- F. "Underpayment". Money for which a client or contract provider is eligible but did not receive.

R6-5-2704. Reporting changes affecting money payments

- A. The Department, prime sponsor, or contract provider shall inform the client of the responsibility to report any changes that affect money payments.
- B. These changes shall include, but not be limited to, changes of:
1. Address;
 2. Income;
 3. Name; and
 4. Composition of the family.

R6-5-2705. Notification of overpayments and underpayments

- A. The Department shall establish procedures for reporting and recovering funds which have been incorrectly paid.
- B. The Department, prime sponsor, or contract provider shall take timely and positive action to resolve any incorrect payments or collections.

R6-5-2706. Responsibility to report overpayments

- A. Any Department employee having information that funds were paid incorrectly in the delivery of services administered by the Department shall promptly follow the established reporting procedure. Failure of the employee to make the report required or failure of the supervisor of such employee, if aware of such fact, to direct the employee to make the report constitutes cause for immediate dismissal from the Department of such employee and supervisor (A.R.S. § 46-140).
- B. The prime sponsor or contract provider shall be required to follow promptly the established reporting procedure.

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R6-5-2707. Case management

- A. Records and reports. Records shall be established and maintained and reports submitted as prescribed by the Department.
- B. Confidentiality. The rules and regulations of the Department for securing and using confidential information concerning the client will be followed. Refer to Title 6, Chapter 5, Article 23 (Safeguarding of Records and Information).
- C. Appeals. Refer to Title 6, Chapter 5, Article 24 (Complaints and Appeals).
- D. Civil rights. Refer to Title 6, Chapter 5, Article 26 (Civil Rights).

ARTICLE 61. RESOURCE SERVICES

R6-5-6101. Definitions

The following definitions shall apply in this Article, unless the context otherwise requires:

- 1. "Authorized Department representative" means a person designated by the Department of Economic Security.
- 2. "Case manager" means a person whose responsibilities are case management and which may include the provision of social services to families and children. The term "case manager", as used in DESACYF social services policy, encompasses such titles as child protective services worker, caseworker, social worker and worker.
- 3. "Case plan" means the establishment of case goals, services to be delivered, and actions to be taken to resolve identified problems.
- 4. "Child, youth, or juvenile" means an individual who is under the age of 18.
- 5. "Client" means a person or persons who, as part of a family, receive services from the Department of Economic Security with the focus on the protection and well being of the children.
- 6. "Department" means the Department of Economic Security.
- 7. "Eligibility" means the requirements an individual or family must meet to receive services funded by the Department.
- 8. "Eligible person(s)" means an individual or family who meets all of the requirements for receiving a service.
- 9. "Family" means persons, including at least 1 child, related by blood or law, or who are legal guardians of a child, or who are residing in the same household. Where persons related by blood or law do not reside in the same household and where adults other than spouses reside together, each may be considered a separate family when it is to the benefit of the child. A child temporarily residing in foster care may be considered a member of the parents' family or as a family of 1, whichever is to the benefit of the child. A child living with a relative not legally responsible for the child's care may be considered a family of 1 if it is to the benefit of the child.
- 10. "Resource" means any service within the Department or the community which is available and of benefit to the client.
- 11. "Resource Services" means separate Department funded services available to eligible persons to help prevent or remedy abuse, neglect, or exploitation of children, to maintain children in their own homes or reduce the duration of out of home care and to assist the family to maintain independent functioning. This includes but is not limited to day support, parent aide and counseling services.

R6-5-6102. Service description

Resource Services shall include but are not limited to:

- 1. Parent aide services—provide a range of supportive services which may include teaching and modeling of parenting and home management skills; teaching the use of formal and informal community resources; supportive parenting care and transportation tasks.
- 2. Day support services—provide therapeutic day activities such as counseling, recreation, and socialization and educational services.
- 3. Counseling services—provide a process of a non-medical nature which assists persons in dealing with a wide range of personal/interpersonal, situational, and functional problems.

R6-5-6103. Eligibility

- A. Resource Services are provided at the discretion of the Department. There is no application process for these services and clients do not apply for these services.
- B. Resource Services may be provided to individuals or families without regard to income or legal residence status when:
 - 1. There is an open social services case; and
 - 2. Children are at risk of abuse, neglect, or exploitation as defined in A.R.S. § 8-546; and
 - 3. The service is available in the community in which the family resides; and
 - 4. The case manager has determined a need for the service; made a referral for the service and obtained approval of the referral from an authorized Department representative; and
 - 5. The service will assist in:
 - a. Enabling the child to remain in the home; or
 - b. Preventing out of home placement; or
 - c. Reducing the length of out of home placement; or
 - d. Preparing the individual to live independently within the community and
 - 6. The availability of other community and family resources to meet family needs has been explored and the family remains in need of this service.

R6-5-6104. Discontinuation of service

Service shall be discontinued by the Department when:

- 1. Goals of the case plan have been achieved and new goals related to the service are not required; or
- 2. The family has moved and its whereabouts are unknown; or
- 3. The family is no longer eligible for services; or
- 4. An authorized Department representative determines the service is no longer appropriate or needed; or
- 5. The family is receiving the service from another community agency, not funded by the Department, and there is duplication of services; or
- 6. Resources are so limited that continued provision of the service is not possible.

ARTICLE 68. RELINQUISHMENT AND SEVERANCE SERVICES

R6-5-6801. Goals

Relinquishment and Severance Services are provided to:

- 1. Achieve or maintain self-sufficiency, including reduction of dependency;
- 2. Prevent or reduce inappropriate institutional care by providing for home-based care.

R6-5-6802. Objective

Relinquishment and Severance Services are provided so that children who cannot permanently reside with their own parent(s) may be legally free for adoptive placement.

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R6-5-6803. Authority

A.R.S. §§ 41-1954(B), 46-1342(2), and 8-531 through 8-544; Title XX of the Social Security Act as amended, and the Comprehensive Annual Services Program Plan.

R6-5-6804. Definitions

- A. "Adoption". The establishment of a parent-child relationship by judicial decree.
- B. "Agency". An agency licensed by the Department to place children for adoption.
- C. "Child". "Any person under 18 years of age". (A.R.S. § 8-531(3)).
- D. "Department". The Department of Economic Security.
- E. "Juvenile court" or "court". "The juvenile division of the superior court". (A.R.S. § 8-101(6)).
- F. "Parent". "The natural or adoptive mother or father of a child". (A.R.S. § 8-531(10)).
- G. "Parent-child relationship". "All rights, privileges, duties, and obligations existing between parent and child, including inheritance rights". (A.R.S. § 8-531(11)).
- H. "Relinquishment". A written document voluntarily signed by the parent authorizing the Department or Agency to place a child for adoption without further consent by the parent.
- I. "Severance". The termination of parent-child relationship by judicial decree.
- J. "Waiver of notice and appearance". A written document voluntarily signed by the parent by which the parent gives up the right to be notified of and appear at all hearings or proceedings regarding the severance of parently rights.

R6-6-6805. Description of services

- A. Counseling parents regarding adoptive placement of children.
- B. Accepting relinquishment from parents.
- C. Accepting waiver of notice and appearance from parents.

- D. Preparing the social study as required by A.R.S. § 8-536 and requesting severance of parental rights.
- E. Assisting legal counsel in filing and presenting the petition for termination of parental rights.

R6-5-6806. Financial eligibility

Financial eligibility for Relinquishment and Severance Services shall be determined by Title 6, Chapter 5, Article 21 (Determining Financial Eligibility).

R6-5-6807. Determining the need

Relinquishment and Severance Services are appropriate for children who cannot permanently reside with either parent if:

- 1. The child can benefit from the establishment of a new parent-child relationship, or
- 2. The child can benefit from the protection afforded by termination of an existing parent-child relationship.

R6-5-6808. Case management

- A. Confidentiality. The rules and regulations of the Department for using confidential information concerning the client will be followed. Refer to Title 6, Chapter 5, Article 23 (Safeguarding of Records and Information).
- B. Appeals. The rules and regulations of the Department for Appeals will be followed. Refer to Title 6, Chapter 5, Article 24, (Complaints and Appeals).
- C. Civil Rights. The rules and regulations of the Department for safeguarding Civil Rights will be followed. Refer to Title 6, Chapter 5, Article 26, (Civil Rights).
- D. Closing the service. Relinquishment and Severance Services are completed when:
 - 1. The child is legally free and Adoption Placement Services are instituted.
 - 2. The child cannot be legally freed for adoption under this article and alternate services are provided.

NOTICE OF PROPOSED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

1. Sections Affected: Article.

R7-2-101
R7-2-203
R7-2-204
R7-2-302
R7-2-302.03
R7-2-302.04
R7-2-305
R7-2-312
R7-2-314
R7-2-315
R7-2-501
R7-2-803
R7-2-807
R7-2-809
R7-2-1201

Rulemaking Action

Amend
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2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific): authorizing statute:

Authorizing statute: A.R.S. § 15-203(A)

Implementing statutes: A.R.S. § 15-203(A), 15-237(B), 15-712, 15-152(B), 15-792(B), and 15-843(B)(2).

Notices of Proposed Rulemaking

3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Corinne L. Velasquez, Administrator
Location: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046

4. An explanation of the rules, including the agency's reasons for initiating the rules:

The State Board of Education is proposing to amend or repeal rules to conform with recent statutory changes and current practice.

5. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

6. The preliminary summary of the economic, small business, and consumer impact:

Most of the rule changes will have no impact on the economy, small business, or consumer. Collectively, the rule changes will be less restrictive on school districts as mandates in the statutes will no longer require additional rules promulgated by the State Board of Education, for example in pesticide notification requirements and instruction in chemical abuse prevention.

7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Corinne L. Velasquez
Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

An oral proceeding on the proposed rulemaking is scheduled as follows:

Date: November 25, 1996
Time: 11 a.m.
Location: State Board of Education
1535 West Jefferson, Room 417
Phoenix, Arizona

Written comments may be submitted on or before 5 p.m. on November 14, 1996, to the contact person listed above.

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

10. Incorporations by reference and their location in the rules:

None.

11. The full text of the rules follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 1. STATE BOARD OF EDUCATION MEETINGS

R7-2-101. Governance

ARTICLE 2. STATE BOARD OF EDUCATION
COMMITTEES

R7-2-203. Essential Skills Requirement Committee
R7-2-204. Textbook Evaluation Committee

ARTICLE 3. CURRICULUM REQUIREMENTS AND
SPECIAL PROGRAMS

~~R7-2-302. Minimum Course of Study and Competency
Requirements for Graduation from High School~~
~~R7-2-302.03. Minimum Credits for Graduation~~
~~R7-2-302.04. Minimum Course of Study and Competency
Requirements for Graduation from High School~~
~~R7-2-305. Printing Revolving Fund~~
~~R7-2-312. Chemical Abuse Prevention Education Program Cri-
teria~~
~~R7-2-314. School Recognition Program~~

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R7-2-315. Pesticide Application Notification

ARTICLE 5. CAREER AND VOCATIONAL EDUCATION

R7-2-501. Career Education Programs

ARTICLE 8. COMPLIANCE

R7-2-803. Implementation of the Uniform System of Financial Records

R7-2-807. Corporal Punishment Guidelines

R7-2-809. Interscholastic Athletic Competition

ARTICLE 12. POLITICAL ACTIVITIES

R7-2-1201. Use of School Resources to Influence Elections

ARTICLE 1. STATE BOARD OF EDUCATION MEETINGS

R7-2-101. Governance

A. Officers

1. The elective officers of the State Board of Education ("Board") shall be a President and a Vice President.
2. The State Superintendent of Public Instruction shall serve as the Secretary and as the Executive Officer of the Board.
3. The President shall preside over all meetings of the Board, call meetings as herein provided, and perform such other special duties as may be vested in him or her by the Board.
4. In the absence of the President, the Vice President shall preside over all meetings and shall perform such other special duties as may be vested in him or her by the Board.
5. The President shall appoint a nominating committee that will prepare a slate of candidates for presentation to the Board at the first regular meeting following January 1st of each year. Other candidates may be nominated from the floor. The 2 elected officers shall be elected by written ballot and shall serve for 1 year, or until their successors are elected.
6. If a vacancy occurs in the office of President, the Vice President shall immediately become the President. As soon as practicable, the Board shall elect a new Vice President.

B. No change.

C. No change.

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

R7-2-203. Essential Skills Requirement Committee

A. Purpose. The Essential Skills Requirement Committee shall act in an advisory capacity to the Board in regard to developing essential skills requirements for promotion from grade 3, grade 8, and grade 12 in each State Board required subject and any other subjects as directed by the Board of Education.

B. Structure.

1. **Membership.** There shall be no fewer than 18 and no more than 27 voting members comprised of educators and laypersons.
2. **Selection.** Each Board member shall select at least 2 but no more than 3 members to serve at the pleasure of the Board member. All members shall be subject to final approval by the Board. Layperson and educator membership of each committee shall be as determined by the

Board of Education. Ethnic, gender, and geographic representation will be considered.

3. **Terms.** All regular terms are for the time necessary to accomplish the task, not to exceed 1 year.

C. Procedure.

1. The Essential Skills Requirement Committee shall:
 - a. Select officers for the Committee and establish procedures for conducting business according to Robert's Rules of Order Revised. A quorum shall be a majority of the voting members of the Committee.
 - b. Obtain any material, resources, or assistance from the Department of Education that it will aid in the accomplishment of its task.
 - c. Request such information, opinion, and expert assistance as it deems useful from local school boards and others.
 - d. Schedule hearings, to be held by Committee members in various state locations, at the discretion of the Committee, which will solicit suggestions and comments regarding the essential skills requirements.
 - e. Make any revision deemed necessary after considering input from the hearings and submit it to the Department of Education for presentation by a Committee officer to the State Board of Education.
2. The Superintendent shall call the first organizational meeting and provide each member with a copy of these rules.
3. The Superintendent shall appoint a Department of Education staff person to facilitate the function of the Committee.

R7-2-204. Textbook Evaluation Committee

A. Purpose. The State Textbook Evaluation Committee ("Committee") shall act in an advisory capacity to the Board by reviewing available instructional materials from publishers. The Committee may recommend textbooks for each grade and each course to the State Board of Education. The State Board of Education shall prepare a list of suggested textbooks in accordance with A.R.S. § 15-203. The Committee may also recommend suggested supplementary textbooks.

B. Definitions.

1. **Textbook** means the total instructional materials selected as the basic source of instructional materials for use in teaching pupils in the subject areas as recommended by the Board. This may include materials, equipment, and illustrative material as well as the more traditional textbook.
2. **Supplementary textbook** means a textbook intended to serve, but not limited to, 1 or more of the following purposes for a given subject, at a given grade level:
 - a. To provide more complete coverage of a subject or subjects included in a given course.
 - b. To provide for meeting the various learning ability levels of pupils in a given age group or grade level.
 - c. To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.
 - d. To provide for meeting the diverse educational needs of pupils of disparate cultures.

C. Structure.

1. The Board shall select the subject for which the textbooks will be evaluated.
2. The Board shall select and appoint the members of the Committee for the time necessary to accomplish the task.

D. Procedure.

1. The Committee shall:

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- a. Select officers for the Committee and establish procedures for conducting business according to Robert's Rules of Order Revised. A quorum shall be a majority of the voting members of the Committee.
 - b. Obtain any material, resources, or assistance from the Department of Education that will aid in the accomplishment of its task.
 - c. Establish time schedules and develop standards for evaluation of materials.
 - d. Determine the method of ranking or scoring of the evaluation of instructional materials.
 - e. Make available to all publishers and others expressing an interest in the work of the Committee, the names of all members, their addresses, and schools.
 - f. Obtain samples of the relevant textbooks, materials, and descriptive literature from publishers wishing to present instructional materials for consideration.
 - g. Allocate adequate time to publishers for both individual and group presentations.
 - h. Recommend the final list of textbooks for each grade and course to the Board, if selected.
 - i. Recommend the list of supplementary textbooks for each grade and course to the Board, if selected.
2. The Superintendent shall:
- a. Call the first organizational meeting and provide each member with a copy of this rule.
 - b. Appoint a Department of Education staff person to facilitate the function of the Committee.
 - c. Provide to school districts annually an alphabetical listing by publishers of the textbooks recommended by the Board.
3. Publishers shall supply sample copies of regular textbooks (not supplementary textbooks) to Committee members.

ARTICLE 3. CURRICULUM REQUIREMENTS

R7-2-302. Minimum Course of Study and Competency Requirements for Graduation from High School

- A. Beginning with the 9th grade class of 1996, graduation from high school shall be based on successful demonstration of competencies as set forth in the following editions and pages, as designated, of the State Board-adopted essential skills, incorporated by reference and on file with the Secretary of State, for the core subject areas of:
1. Reading, February 1989, pp. 16-17, 42-44;
 2. Writing, February 1989, pp. 6-8, 30-32;
 3. Mathematics, September 1992, pp. 67-96;
 4. Science, July 1990, pp. 31-41; and
 5. Social studies, July 1989, pp. 35-49.
- B. A student shall demonstrate competency in reading, writing, and mathematics by attaining a score representing a level of proficiency, determined by the State Board by rule no later than April 1, 1995, and annually thereafter, on the essential skills tests that measure pupil achievement (Arizona Student Assessment Program [ASAP] Form A assessments), adopted by the State Board on January 25, 1993, incorporated by reference and on file with the Secretary of State, as measured by the essential skills (ASAP) generic rubric for those core subject areas. A student shall demonstrate competency in science and social studies by attaining a score representing a level of proficiency, determined by the State Board, on the essential skills tests that measure pupil achievement (Arizona Student Assessment Program [ASAP] Form A assessments), as measured by the essential skills (ASAP) generic rubric for those core subject areas when those assessments are developed and

approved by the State Board. Other assessment processes which are equivalent to the essential skills (ASAP) generic rubric may be submitted by a local governing board for approval by the State Board.

- C. The minimum course of study in high school shall comprise the core subject areas set forth in subsections (A)(1) through (5) and at least 1 year of instruction in the essentials, sources, and history of the constitutions of the United States and Arizona and instruction in American institutions and ideals and in the history of Arizona, pursuant to A.R.S. § 15-710; at least 1 semester of instruction on the essentials and benefits of the free enterprise system, pursuant to A.R.S. § 15-711; and instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, and other dangerous drugs, pursuant to A.R.S. § 15-712.
- D. Local governing boards shall:
1. Include fine arts and vocational education as core subject areas. The local governing board shall determine and report to the State Board the methods of assessment to be used to determine the successful demonstration of the competencies and requirements and determine the successful completion of these subjects. Students must demonstrate competency in at least 1 of these 2 core subject areas.
 2. Upon request of the student, provide the opportunity for the student to demonstrate competency in the subject areas listed in subsection (A) above in lieu of classroom time.
 3. Develop procedures for continuous assessment of student progress toward meeting the competency requirements.
- E. The local governing board may:
1. Offer or require the successful demonstration of competencies in additional subject areas as it deems appropriate. When essential skills have not been adopted by the State Board, local governing boards shall be responsible for developing and adopting requirements and competencies for the successful completion of the additional subjects. Local governing boards shall also be responsible for developing methods of assessment to be used in determining successful demonstration of the requirements and competencies and to determine successful completion of the additional subject. The opportunity for students to demonstrate competency in lieu of classroom time for these additional subject area requirements shall be at the discretion of the local governing board.
 2. Issue credits or partial credits to students who satisfactorily demonstrate competency as specified in the State Board-adopted essential skills.
- F. High school principals shall communicate all requirements for graduation from high school and any options available for meeting those requirements to the students and parents at the time of their enrollment in the school.
- G. Delivery of distance education. In addition to traditional methods of course delivery, courses may also be offered through distance education. Distance education does not include correspondence courses. Distance education is defined as instructional learning arrangements in which the distance education instructor and the student are separated geographically. Instruction is delivered by means of telecommunications technologies such as satellite, microwave, telephone, cable, and fiber optics. The instruction supplements or comprises the entire course content and provides for 2-way interactive communications between the instructor and the student during the time of the instruction. Communication or interaction occurs through the use of technologies such as voice, video, or computer-mediated communications.

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1. Distance education providers shall register with the Department of Education and satisfy the following requirements:
 - a. Be regionally accredited or affiliated with a regionally accredited institution as listed in R7-2-601(G) or by a regional accrediting association as listed in R7-2-601(C).
 - b. Validate that the instructor of the distance education program:
 - i. Possesses a current Arizona teaching certificate valid for the level and subject of the instruction to be taught; or
 - ii. Possess a current teaching certificate from the recognized certifying authority of the sending location valid for the level and subject of the instruction to be taught; or
 - iii. Is employed by or affiliated with, in the content area of instruction, a regionally accredited institution as listed in R7-2-601(G).
2. Distance education may be used as a part of the instructional program. School districts shall ensure that:
 - a. Only those distance education providers registered with the Department of Education are used to provide distance education; and
 - b. The teaching partners who assist the students in receiving the instruction on-site have instructional and technical facilitator training and are supervised by an individual certified pursuant to R7-2-603.

R7-2-302.03. Minimum credits for graduation

- A. The Board establishes 20 credits as the minimum number of credits necessary for high school graduation, effective for the graduation class of 1994, as follows:
 1. Four credits of English or English as a Second Language to include: grammar, speaking, writing, and reading skills; advanced grammar; composition; American literature; advanced composition; research methods and skills; literature;
 2. One and 1/2 credits of instruction in the essentials, sources and history of the constitutions of the United States and Arizona and instruction in American institutions and ideals and in the history of Arizona;
 3. One credit of world history/geography;
 4. One-half credit of "Essentials and Benefits of the Free Enterprise System." This 1/2 credit may be offered in a department which the local district deems appropriate.
 5. Two credits of mathematics;
 6. Two credits of science;
 7. One credit of fine arts or vocational education;
 8. Eight credits of additional courses prescribed by the local governing board subject to the approval of the State Board pursuant to A.R.S. § 15-341(A)(7).
- B. Credits earned through correspondence courses to meet graduation requirements shall be taken from a regionally accredited institution accredited by an association listed in R7-2-601(G). Credits earned thereby shall be limited to 4, and only 1 credit may be earned in each of the following subject areas:
 1. English as described in subsection (A)(1) of this rule.
 2. Social Studies "Essentials and Benefits of the Free Enterprise System" as described in subsections (A)(2), (3), and (4) of this rule.
 3. Mathematics.
 4. Science.
- C. The local governing board of each school district shall be responsible for developing a course of study and graduation requirements for all students placed in special education pro-

grams in accordance with Chapter 7, Article 4, Arizona Revised Statutes, and R7-2-401 et seq. Students placed in special education classes, 9-12, are eligible to receive a high school diploma without meeting state competency requirements, but reference to special education placement may be placed on the student's transcript or permanent file.

- D. Competency goals. Beginning with the 12th grade graduating class of 1994 and prior to the issuance of a high school diploma, each student shall:
 1. Successfully complete the minimum credits and course requirements prescribed by the State Board and local governing board.
 2. Demonstrate mastery, as defined by the local governing board, of the State Board adopted essential skills.
- E. Local governing boards may grant to vocational technological education program completers a maximum of 3 1/2 credits to be used toward the Board English, mathematics, science, or Free Enterprise credit requirements for graduation, subject to the following restrictions:
 1. The Board has approved the vocational technological education program for equivalent credit to be used toward the Board English, mathematics, science, or Free Enterprise credit requirements for graduation;
 2. Only 1 credit in each of English, mathematics or science may be granted;
 3. Only 1/2 credit may be granted in Free Enterprise;
 4. For vocational technological programs in which only 1 credit is offered, either vocational or English, mathematics, science or Free Enterprise credit may be granted;
 5. For vocational technological programs in which 2 or more credits are offered, only 1 credit may be used for English, mathematics, or science, or 1/2 credit may be used for Free Enterprise.

R7-2-302.04. Minimum Course of Study and Competency Requirements for Graduation from High School

The Board prescribes the minimum course of study and competency requirements as outlined in subsections (1) and (2) for the graduation of pupils from high school. The Board establishes 20 credits as the minimum number of credits necessary for high school graduation effective for the graduation class of 1996. Students shall obtain credits for required subject areas as specified in subsections (1)(a)(i) through (1)(a)(viii) based on completion of subject area course requirements or competency requirements. At the discretion of the local governing board, credits may be awarded for completion of elective subjects specified in subsections (1)(a)(viii) based on completion of subject area course requirements or competency requirements.

1. Subject area course requirements.
 - a. The awarding of a credit toward the completion of high school graduation requirements shall be based on successful completion of the subject area requirements prescribed by the State Board and local governing board as follows:
 - i. Four credits of English or English as a Second Language, which shall include but not be limited to the following: grammar, writing and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature. One-half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles;
 - ii. One and a half credits of instruction in the essentials, sources and history of the constitutions of the United States and Arizona

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- and instruction in American institutions and ideals and in the history of Arizona;
- iii. One credit of world history/geography;
 - iv. ~~One-half credit of "Essentials and Benefits of the Free Enterprise System." This 1/2 credit may be offered in a department which the local district deems appropriate;~~
 - ~~iv.~~ Two credits of mathematics;
 - ~~v.~~ Two credits of science;
 - ~~vi.~~ One credit of fine arts or vocational education;
 - ~~vii.~~ Eight and one-half credits of additional courses prescribed by the local governing board subject to the approval of the State Board pursuant to A.R.S. § 15-341(A)(7).
- b. Credits earned through correspondence courses to meet graduation requirements shall be taken from a regionally accredited institution ~~accredited by an association listed as defined in R7-2-601(G).~~ Credits earned thereby shall be limited to 4, and only 1 credit may be earned in each of the following subject areas:
- i. English as described in subsection (1)(a)(i) of this rule;
 - ii. Social Studies and ~~"Essentials and Benefits of the Free Enterprise System" as described in subparagraphs (1)(a)(ii), (iii), and (iv) of this rule;~~
 - iii. Mathematics;
 - iv. Science.
- c. Delivery of distance education. In addition to traditional methods of course delivery, courses may also be offered through distance education. Distance education does not include correspondence courses. Distance education is defined as instructional-learning arrangements in which the distance education instructor and the student are separated geographically. Instruction is delivered by means of telecommunications technologies such as satellite, microwave, telephone, cable, fiber optics. The instruction supplements or comprises the entire course content and provides for 2-way interactive communications between the instructor and the student during the time of the instruction. Communication or interaction occurs through the use of technologies such as voice, video or computer-mediated communications.
- i. Distance education providers shall register with the Department of Education and satisfy the following requirements:
 - (1) Be regionally accredited or affiliated with a regionally accredited institution ~~as listed as defined in R7-2-601(G)~~ or by a regional accrediting association as listed in R7-2-601(C).
 - (2) Validate that the instructor of the distance education program:
 - (a) Possesses a current Arizona teaching certificate valid for the level and subject of the instruction to be taught; or
 - (b) Possesses a current teaching certificate from the recognized certifying authority of the sending location valid for the level and subject of the instruction to be taught; or
 - (c) Is employed by or affiliated with, in the content area of instruction, a regionally accredited institution as listed ~~defined~~ in R7-2-601(G).
 - ii. Distance education may be used as a part of the instructional program. School districts shall ensure that:
 - (1) Only those distance education providers registered with the Department of Education are used to provide distance education; and
 - (2) The teaching partners who assist the students in receiving the instruction on-site have instructional and technical facilitator training and are supervised by an individual certified pursuant to R7-2-603.
- d. Local governing boards may grant to vocational-technological education program completers a maximum of 3½ credits to be used toward the Board English, mathematics, or science ~~or Free Enterprise credit requirements for graduation, subject to the following restrictions.~~
- i. The Board has approved the vocational-technological education program for equivalent credit to be used toward the Board English, mathematics, or science ~~or Free Enterprise credit requirements for graduation;~~
 - ii. Only 1 credit in each of English, mathematics, or science may be granted;
 - iii. ~~Only 1/2 credit may be granted in Free Enterprise;~~
 - ~~iv.~~ For vocational-technological programs in which only 1 credit is offered, either vocational or English, mathematics, or science ~~or Free Enterprise credit may be granted.~~
 - ~~v.~~ For vocational-technological programs in which 2 or more credits are offered, only 1 credit may be used for English, mathematics, or science, ~~or 1/2 credit may be used for Free Enterprise.~~
2. Competency requirements.
- a. The awarding of a credit toward the completion of high school graduation requirements shall be based on the successful completion of State Board-adopted essential skills requirements for subject areas listed in subsections (1)(a)(i) through (vii vi) and the successful completion of the competency requirements for the elective subjects specified in subsection (1)(a)(viii vii). Competency requirements for elective subjects as specified in subsection (1)(a)(viii vii) shall be the essential skills adopted by the State Board. If there are no adopted essential skills for an elective subject, the local governing board shall be responsible for developing and adopting competency requirements for the successful completion of the elective subject.
 - b. The determination and verification of student accomplishment and performance shall be the responsibility of the subject area teacher.
 - c. Upon request of the student, provide the opportunity for the student to demonstrate competency in the subject areas listed in subsection (A) in lieu of class-

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room time.

3. The local governing board of each school district shall be responsible for developing a course of study and graduation requirements for all students placed in special education programs in accordance with A.R.S. Chapter 7, Article 4 and R7-2-401 et seq. Students placed in special education classes, 9-12, are eligible to receive a high school diploma upon completion of graduation requirements, but reference to special education placement may be placed on the student's transcript or permanent file.

R7-2-305. Printing revolving fund

The State Department of Education shall establish and maintain a printing revolving fund for which income shall be derived by making publications produced by the Department available to the public at a reasonable cost. Money obtained by the sale of publications shall be deposited in the Department's printing revolving fund for printing further publications. No charge shall be made for any distribution of publications required by law.

R7-2-312. Chemical abuse prevention education program criteria

- A. All school districts shall incorporate the following criteria in both the development and implementation of comprehensive chemical abuse prevention education programs mandated by A.R.S. §§ 15-712 and 15-345.
 1. Establish a school/community advisory committee with membership representative of the composition of the community.
 2. Adopt a comprehensive sequential chemical abuse prevention curriculum taking into consideration state mandated Comprehensive Health Essential Skills.
 - a. Include in the prevention curriculum accurate information about tobacco, alcohol and other drugs, problem solving, decision making, communication and refusal skills, self awareness, and self esteem enhancement;
 - b. Integrate the prevention curricula into a K-12 program.
 3. Provide training for all faculty and staff in chemical abuse awareness and prevention at least annually.
 4. Establish an identification and referral process to assist students in utilizing school and community support programs and resources; and inform faculty, staff, students, and parents of the referral process.
 5. Promote community involvement in chemical abuse prevention education programs.
 6. Encourage the provision of ongoing planned and supervised activities, in addition to classroom instruction, that promote physical and mental health and provide opportunities for students to practice citizenship and life skills.
 7. Promote a positive school environment where learning and the development of healthy behaviors are actively supported.
 8. Assess annually the extent and character of chemical abuse using both process and outcome data, and submit the results to the Department of Education.
- B. The Department of Education shall develop and distribute a manual to assist the districts in developing and implementing these chemical abuse prevention education program criteria.

R7-2-314. School recognition program

Each district shall keep on file in the local district office, for a minimum of 3 years, a self-assessment report listing evidence of compliance with state laws that apply to school districts, including State Board of Education rules.

1. The district superintendent or chief administrative officer shall:
 - a. Be responsible for the district's compliance with all state laws applying to school districts.
 - b. Complete a self-assessment, at least every 3rd year, using an instrument approved by the State Board of Education.
 - c. Notify the local governing board of the results of the tri-annual self-assessment.
 - d. On direction from the Superintendent of Public Instruction, conduct an investigation of written complaints alleging noncompliance with any state laws that apply to school districts. A report of the findings of the investigation shall be forwarded to the Department of Education.
2. If the district or a school within the district applies for any recognition or accreditation from the State Board of Education or Department of Education, the district shall submit to the Department of Education a copy of the most current self-assessment signed by the district superintendent or chief administrative officer and the governing board president and notarized.
3. The Superintendent of Public Instruction shall:
 - a. Develop and disseminate to districts procedures for implementation of the school recognition program.
 - b. When requested, provide technical assistance to school districts in completing a self-assessment in accordance with this rule.
 - c. When requested, organize a validation-visitation team to conduct an on-site review.
 - d. Submit an annual report to the State Board of Education indicating any complaints received that required a Department of Education investigation, the resolution of such complaints, technical assistance provided and the status of any district found to be in noncompliance.
4. The Superintendent of Public Instruction may:
 - a. Direct an investigation of any written complaint alleging noncompliance with any state laws that apply to school districts.
 - b. Direct the Department of Education to initiate action pursuant to R7-2-801.
3. Direct the Department of Education to file a complaint pursuant to R7-2-205 when the Superintendent of Public Instruction has reasonable grounds to believe that a district superintendent or chief administrative officer has failed to comply with this rule.

R7-2-315. Pesticide Application Notification

The following procedures shall be the basis for a school district's policy for notifying pupils, employees, parents, guardians, and the public of pesticide application on school property.

1. During the regular school session, the principal or designee shall provide oral notification to all students and school employees that a pesticide is to be applied on school premises no less than 48 hours prior to such application. Oral notification shall be provided by means of a school public address system, assembly communications, staff meeting announcements, or other similar means reasonably calculated to provide all students and employees sufficient notice in advance of pesticide application.
2. During the regular school session, the principal or designee shall provide written notification to the parents and guardians of all students enrolled at the school that a pesticide is to be applied on school premises no less than 48 hours prior to such application. Written notification shall be provided by means of weekly school lunch menus;

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special communications, newsletters, or other similar means reasonably calculated to provide all parents and guardians sufficient notice in advance of pesticide application.

3. Every sign posted on school premises to provide notification of pesticide application shall be no smaller than 8½ inches by 11 inches in dimension, shall be identical to those contained in Appendix A to this rule, and shall be posted in the appropriate language. The sign shall provide the date and time pesticide is to be applied and phone number for further information and shall describe with particularity all areas within the school premises where pesticide is to be applied. The sign shall be posted no less than 48 hours prior to the application of pesticide and may be removed no less than 48 hours following the application of pesticide.
 - a. During the regular school session and during any vacation or other extended period outside of a regular school session, the principal or designee shall post signs providing notification of pesticide application at main entrances to all buildings, rooms, and playing fields where pesticide is to be applied.
 - b. During any vacation or other extended period outside of a regular school session, the principal or designee shall post signs providing notification of pesticide application at all main entrances to school property and playing fields and in any area which may be occupied during such time.
 - c. For purposes of this rule, "vacation or other extended period outside of a regular school session" means any period of time consisting of 7 or more consecutive days during which classes are not conducted on the school premises.
4. The district superintendent or head of district shall designate an employee at each school site to serve as the contact person for providing information regarding pesticide application activities at that school.

APPENDIX A. PESTICIDES IN USE SIGNS

ARTICLE 5. CAREER AND VOCATIONAL EDUCATION

R7-2-501. Career education programs

- A. Standards and qualifications requirements. The district area or county career education program objectives shall:
1. Motivate students to increase their understanding of basic education in preparation for adult life, whether they continue their formal education or immediately enter the world of work.
 2. Provide training for staff members in career applications.
 3. Certify there are sufficient funds available for the program.
 4. Provide counseling and guidance services to inform students about available career opportunities related to their interest aptitudes and abilities. Such services shall not invade the privacy of the student or his parents in religious, moral or personal matters.
- B. Standards and evaluation criteria for approval of district's program. The governing board of the common or high school shall accomplish the following to obtain Board approval of its program:
1. Establish appropriate priorities to insure that the basic subjects to be taught in Arizona are given first priority; in grades K-3 the emphasis shall be on awareness of the world of work; in grades 4-6, orientation to the world of work; in grades 7-9, exploration of occupations and in

later grades 10-12, in-depth exploration of clusters selected by the students, information on specific prerequisites for particular careers, and career preparation for all students.

2. Specify and define the objectives of the proposed plan.
3. Establish procedures for maintaining an evaluation of the program, such as a change in the dropout rate.

ARTICLE 8. COMPLIANCE

R7-2-803. Implementation of the Uniform System of Financial Records

All school districts shall implement the current version of the Uniform System of Financial Records, as prescribed by the Auditor General, in conjunction with the State Board Department of Education. The Uniform System of Financial Records shall include standards to insure that enrollment is determined by all school districts on a uniform basis.

R7-2-807. Corporal Punishment Guidelines

If the governing board of a local school district authorizes the use of corporal punishment, that board shall prescribe rules setting forth means and procedures for the administration of corporal punishment consistent with the following:

1. Corporal punishment is a serious disciplinary action to be used in conjunction with the parents or guardians of the student.
2. Corporal punishment will be administered by spanking the buttocks of the student, to cause no more than temporary pain and not to inflict permanent damage to the body. No other form of corporal punishment is authorized.
3. The governing board of the school district shall designate individuals authorized to administer corporal punishment. Individuals designated shall be teachers, administrators, or other educationally certified personnel. Classified personnel are not authorized to administer corporal punishment.
4. The principal or chief administrative officer of the school shall approve each administration of corporal punishment. Two adult, educationally certified employees of the school must be present to witness the administering of corporal punishment. Schools with only 1 adult employee shall have one additional adult present as a witness.
5. Notification.
 - a. Corporal punishment shall be administered to a student only after the principal of the school has provided written notification to the parents or guardians of the student that the school seeks to administer corporal punishment. Written notification shall be required for each incident in which corporal punishment is the selected form of discipline.
 - b. Corporal punishment shall be administered to a student only after the principal of the school has received written permission for its use from a parent or guardian of the student. Written permission shall be required for each incident in which corporal punishment is the selected form of discipline.
 - c. Parents or guardians of the student shall be notified promptly when corporal punishment has been administered.
6. Each act of corporal punishment shall be documented and reported to the governing board by the district superintendent at least quarterly. Reports shall be maintained in the office of the district superintendent for a period of not

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less than 3 years and shall be forwarded to the Department of Education upon request.

R7-2-809. Interscholastic Athletic Competition

School districts may authorize schools to belong to 1 or more organizations which govern interscholastic athletic competition if the rules which govern the organization meet the following criteria:

1. The organization shall specify and publish general criteria and guidelines for violations and disciplinary actions and the timelines for taking such actions. The criteria and guidelines shall include a general listing of disciplinary actions which may be considered as alternatives to forfeiture or disqualification for violations including ineligibility of players. A copy of the criteria and guidelines shall be provided to the President of the Senate, Speaker of the House, chairpersons of the House Education and Senate Education Committees, and the President of the State Board of Education.
2. A school district governing board shall be afforded an opportunity to present alternative forms of disciplinary action to the organizations in lieu of forfeiture in cases where a violation has occurred and, after conclusion of the game, match or tournament, the organization recommends that forfeiture of the game, match, or tournament be the punishment for the violation. Final decisions on all disciplinary action are the responsibility of the interscholastic athletic organizations. A record of the appeals for forfeiture and the organizations' final decision of such appeals shall be forwarded to the State Board of Education for information.
3. Time periods shall be specified in the criteria and guidelines for reporting and adjudicating alleged violations to the organization and school districts.
4. The meetings of the governing board of the organization shall be open to the public using A.R.S. §§ 38-431 et seq. and 15-551 as guidelines.
5. Rules of the organization shall include provisions that any limits on the amount of time a student can remain eligible to participate in extracurricular activities shall be extended for a student participating in an International Educational Travel and Exchange Program. A student shall maintain eligibility provided that the student does not engage in athletic competition while participating in the International Educational Travel and Exchange Program. The time extended beyond the prescribed limit shall be the same as the length of time the student was participating in the International Educational Travel and Exchange Program.

ARTICLE 12. POLITICAL ACTIVITIES

R7-2-1201. Use of school resources to influence elections

A. Definitions. For the purpose of this Article unless the context otherwise requires:

1. "Elections" means all nonstudent election.
2. "Employee" means any person compensated by a school district and required to take and subscribe to the oath as prescribed by A.R.S. § 15-504.

B. Use of school resources.

1. Consistent with constitutional provisions regarding public monies, the school district may not use its equipment, materials, buildings, or other resources to present or engage in express advocacy to influence the outcome of any election except the following:
 - a. Pursuant to A.R.S. § 15-1105(A), the district may lease school property, and
 - b. Pursuant to A.R.S. § 15-1105(B), the district may permit uncompensated use of school property by any school related group or by any organization whose membership is open to the public and whose activities promote the educational function of the school district as determined in good faith by the school district's governing board.
 - c. School districts may distribute informational reports on a proposed budget override election as provided in A.R.S. § 15-481(B) and (C).
2. Nothing in this rule shall preclude school districts from reporting on official actions of the governing board or producing and distributing impartial information on elections other than school district budget override elections.

C. Political activities of employees.

1. The district policies adopted pursuant to A.R.S. § 15-511(B) shall specify that those policies governing school district employees shall apply only when an employee is serving as an agent of or working in an official capacity for the school district.
2. Pursuant to A.R.S. § 15-481(C), in case of a proposed budget override election, employees acting in their official capacity may only express advocacy in public hearing at which testimony is given in support of and in opposition to the election.
3. Employees of the district may not use the authority of their positions to influence the vote or political activities of any subordinate employee.
4. Nothing contained in this rule shall be construed as denying the civil and political liberties as guaranteed by the United States and Arizona constitutions to any employee.

NOTICE OF PROPOSED RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

PREAMBLE

1. Sections Affected
R19-3-601
- Rulemaking Action
Repeal
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific): authorizing statute:
Authorizing statute: A.R.S. § 5-504(B)
Implementing statute: A.R.S. § 5-504(B)
3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Sandy Williams, Executive Director
Location: Arizona State Lottery Commission
4740 East University
Phoenix, Arizona 85034
Telephone: (602) 921-4400
4. An explanation of the rules, including the agency's reasons for initiating the rules:
R19-3-601 sets forth provisions regarding televised drawing broadcasts. This rule is obsolete and has been replaced by a contract.
5. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
6. The summary of the economic, small business, and consumer impact:
Not applicable.
7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:
Name: Sandy Williams, Executive Director
Address: Arizona State Lottery Commission
4740 East University Drive
Phoenix, Arizona 85034
Telephone: (602) 921-4400
8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:
Date: December 20, 1996
Time: 10 a.m.
Location: Arizona State Lottery Commission
4740 East University Drive
Phoenix, Arizona
Nature: Oral proceeding
9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Close of the record is 5 p.m., December 19, 1996, for written comments, and at the close of the oral proceeding for verbal comments.
10. Incorporations by reference and their location in the rules:
None.
11. The full text of the rules follows:

Arizona Administrative Register
Notices of Proposed Rulemaking

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

ARTICLE 6. DRAWING BROADCASTS

Section

R19-3-601. "Minimum Considerations"

ARTICLE 6. DRAWING BROADCASTS

R19-3-601. "Minimum Considerations"

The minimum considerations, which, if offered by a station in its proposal at no cost to the Lottery, shall result in an automatic award of a contract are as follows: If more than one station offers the minimum consideration, the Director shall select drawing broadcasts most advantageous to the Arizona Lottery. The minimum considerations to be provided by the station are as follows:

1. Telecast all instant game grand prize drawings held by the Lottery but not exceeding once each week;
2. Telecast all on-line game drawings held by the Lottery;
3. All off-camera personnel required to assemble and disassemble the drawing sets, to prepare the studio and on-camera drawing participants, and to telecast the drawings;
4. An emcee, hostess, or community representative approved by the Executive Director (to be compensated by the station) and on-call backups for all telecast drawings;
5. All studio facilities and equipment necessary to produce and telecast the drawings;
6. Full capabilities to originate remote telecasts of the drawings;
7. One new set annually for each game broadcast and approved by the Executive Director at a cost not exceeding \$6,000.00 per set;
8. A caged security area of not less than 100 square feet;
9. Full capabilities for a "pooled feed" of the drawings;
10. Re-broadcast the drawings once the same night on which they take place, scroll the drawing once the same night on which they take place, scroll the drawing results once within a half hour of the drawing, and announce the drawing results once between 7:00 a.m. and 9:00 a.m. the following day;
11. Air a total of 35 30-second promotional spots each week according to the following rotation:
 - 5 times during early morning (6:00 a.m. to 9:00 a.m.)
 - 5 times during early fringe (3:00 p.m. to 5:00 p.m.)
 - 4 times during early news (5:00 p.m. to 6:30

- p.m.)
- 5 times during prime access (6:30 p.m. to 7:00 p.m.)
- 7 times during prime time (7:00 p.m. to 10:00 p.m.)
- 6 times during late news (10:00 p.m. to 10:30 p.m.)
- 3 times during late fringe (10:30 p.m. to 12:00 midnight)
- and 35 10-second promotional spots each week according to the following rotation:
- 9 times during daytime (9:00 a.m. to 3:00 p.m.)
- 6 times during early fringe (3:00 p.m. to 5:00 p.m.)
- 7 times during early news (5:00 p.m. to 6:30 p.m.)
- 6 times during prime time (7:00 p.m. to 10:00 p.m.)
- 7 times during late fringe (10:30 p.m. to 12:00 midnight)

12. Run 1 21-inch black-and-white newspaper advertisement each week;
13. Run 1/2 page T.V. Guide advertisement each week;
14. 500 household gross rating points each week in non-specified day parts to air Lottery commercials, which include the promotional spots specified in paragraph (11) and 2- and 4-second ID announcements;
15. Provide, in conjunction with 1 or more other stations if necessary, complete statewide coverage or as near thereto as practicable.
16. \$30,000 in radio promotion annually;
17. New animation and music once annually for each game broadcast;
18. Security for the public from 8:00 p.m. to 10:30 p.m. each night of a drawing;
19. Inclusion of the Lottery in 4 promotion events sponsored by the station;
20. A yearly promotional bank of \$50,000 to be used by the Lottery to promote the Lottery through station broadcasts;
21. Provide signage for each on-line Lottery retailer not to exceed 2,500 locations to promote the Lottery and drawing network at a cost not exceeding \$150.00 per location; and
22. Sponsor 1 Millionaires Reunion annually at a cost not to exceed \$30,000 per event.